

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JANSSEN PHARMACEUTICALS,
INC., JANSSEN PHARMACEUTICA
NV, and JANSSEN RESEARCH &
DEVELOPMENT, LLC,

Plaintiffs,

v.

MYLAN LABORATORIES LIMITED,

Defendant.

Civil Action No. 2:20-cv-13103-EP-
LDW

(Consolidated)

FINAL JUDGMENT

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. This Court has jurisdiction over Plaintiffs Janssen Pharmaceuticals, Inc., Janssen Pharmaceutica NV, and Janssen Research & Development, LLC (collectively, “Janssen”); Defendant Mylan Laboratories Limited (“Mylan”)¹; and the subject matter of this action.

2. For the reasons set forth in the Court’s Opinion dated May 15, 2023 (D.I. 171), and as reflected in the Court’s Order of the same date (D.I. 172), Final

¹ Pursuant to the Stipulation and Order Dismissing Without Prejudice Defendants Mylan Pharmaceuticals Inc. and Mylan Institutional LLC and Amending Caption in the Action to Reflect the Same (D.I. 5), Mylan Pharmaceuticals Inc. and Mylan Institutional LLC are bound by this Final Judgment, as well as any Judgment, Order, or decision, including any injunction, rendered as to Mylan in this Action.

Judgment is entered in favor of Janssen and against Mylan on all claims and counterclaims with respect to infringement and validity of claims 5-7 and 9-14 of United States Patent No. 10,143,693 (“the ’693 patent”) and Mylan’s products that are the subject of ANDA Nos. 216228, 212290, and 215682.

3. Pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any approval of Mylan’s ANDA Nos. 216228, 212290, and 215682 shall be no earlier than the date of expiration of the ’693 patent (currently April 5, 2036).

4. In accordance with 21 C.F.R. § 314.107(e), Mylan shall submit a copy of this Final Judgment to the FDA within fourteen (14) days of the date of entry of this Final Judgment by the Court.

5. Pursuant to Fed. R. Civ. P. 54, L. Civ. R. 54.1, and 28 U.S.C. § 1920, Janssen may seek its costs, subject to Paragraphs 6 and 7, in an amount to be determined by the Clerk of the Court.

6. In the event that a party appeals this Final Judgment, any motion for attorney fees and/or costs, including any bill of costs or motion that this case is exceptional under 35 U.S.C. § 285, shall be considered timely if filed and served within 60 days after the expiration of the time to petition for certiorari to the United States Supreme Court or, if the appeal is withdrawn or dismissed, within 60 days after such withdrawal or dismissal.

7. In the event that no party appeals this Final Judgment, any motion for

attorney fees and/or costs, including any bill of costs or motion that this case is exceptional under 35 U.S.C. § 285, shall be considered timely if filed and served within 60 days after the expiration of the time for filing a notice of appeal under Fed. R. App. P. 3 and 4.

8. This is a final, appealable judgment.

IT IS SO ORDERED, on this 23rd day of May, 2023.

A handwritten signature in black ink, appearing to read "Evelyn Padin", written over a horizontal line.

Hon. Evelyn Padin
United States District Judge